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To Be Filed Electronically

The Honorable John Gleeson  
United States District Judge  
United States District Court  
Eastern District of New York  
225 Cadman Plaza East  
Brooklyn, New York 11201

Re: United States v. Gabriel Herrera, Criminal Docket No. 04-749 (JG)

Dear Judge Gleeson:

I write on behalf of my client Gabriel Herrera to request a change in his sentencing date. Sentencing in the above-captioned case is currently scheduled for October 19, 2012 at 3:00 p.m. Mr. Herrera would like to move the date forward to Friday September 28, 2012.

He asks for this because he has a significant congenital heart condition and, during the past few months, he has begun to suffer from chest pains. He has seen a cardiologist at Downtown Hospital this month who has indicated that he needs close attention, periodic monitoring and eventual surgery. He would like to accelerate the sentencing date so that, depending on the outcome, he can either immediately return to his home country for care, or move to a prison facility with enhanced medical capabilities for the duration of his incarceration.

Undersigned counsel has spoken with government counsel, Walter Norkin, who does not oppose this request and who is available to be in court on Friday September 28.

Thank you in advance for considering our request.

Respectfully submitted,

Alessandra DeBlasio  
Counsel for Defendant Herrera

cc: Assistant U.S. Attorney Walter Norkin (by e-mail)  
Joseph S. Rosenbaum, Esq., co-counsel for Mr. Herrera (by e-mail)